

REMARKS

This application has been carefully reviewed in light of the Office Action dated November 15, 2004. Claims 1 to 44 are in the application, with Claims 1, 19, 38, 40, 42, and 44 being independent. Claims 6, 15, 16, 18, 30, 32, and 38 to 41 were withdrawn from consideration pursuant to an election of species requirement. Claims 1, 19, 38, 40, 42, and 44 have been amended herein. Reconsideration and further examination are respectfully requested.

Claims 1, 5, 8, 11, 17, 19, 20, 22, and 44 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,434,939 (Matsuda). Claim 2 was rejected under 35 U.S.C. 103(a) over Matsuda in view of U.S. Patent No. 5,574,806 (Kragl). Claim 3 was rejected under 35 U.S.C. 103(a) over Matsuda in view of U.S. Patent No. 6,626,585 (Malone). Claims 4, 7, and 21 were rejected under 35 U.S.C. 103(a) over Matsuda in view of U.S. Patent No. 6,568,863 (Murata). Claim 13 was rejected under 35 U.S.C. 103(a) over Matsuda in view of U.S. Patent No. 5,946,438 (Minot). Claims 9, 23 to 29, 33 to 36, 42, and 43 were rejected under 35 U.S.C. 103(a) over Matsuda in view of U.S. Patent No. 6,527,455 (Jian). Claims 10, 12, and 37 were rejected under 35 U.S.C. 103(a) over Matsuda in view of U.S. Patent No. 5,790,730 (Kravitz). Claim 14 was rejected under 35 U.S.C. 103(a) over Matsuda and Kravitz in view of Minot. Claim 31 was rejected under 35 U.S.C. 103(a) over Matsuda and Jian in view of U.S. Patent No. 6,332,721 (Inokuchi). The rejections are respectfully traversed.

According to one feature of the invention as recited by Claims 1, 19, 42, and 44, a portion of the layer formed of a photosensitive or electron-beam-curable material is

closer to the substrate on which the surface optical device is arranged (or closer to the implement substrate) than is the bottom of the guide hole.

None of the applied documents is seen to teach or suggest at least the foregoing feature.

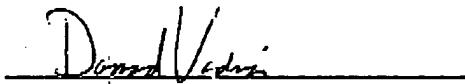
The dependent claims under consideration are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each of these dependent claims is respectfully requested.

Claim 44 is believed to be generic to Species (1) to (9). Accordingly, once Claim 44 receives an indication of allowability, Applicants submit that they are entitled to the allowance of non-elected Claims 6, 15, 16, 18, 30, 32, and 38 to 41, since each of these claims includes all the features of Claim 44. See MPEP § 806.04(d).

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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